

MOST-FAVORED-NATION TREATMENT IN CUSTOMS MATTERS

Exchange of notes at Washington February 10, 1925

Entered into force February 10, 1925

Ratified by Poland September 14, 1925

*Terminated July 9, 1933, upon entry into force of treaty of June 15, 1931*¹

Treaty Series 727

The Secretary of State to the Polish Minister

DEPARTMENT OF STATE

WASHINGTON, *February 10, 1925*

SIR:

I have the honor to make the following statement of my understanding of the agreement reached through recent conversations held at Washington on behalf of the Government of the United States and the Government of the Republic of Poland with reference to the treatment which the United States shall accord to the commerce of Poland and which Poland shall accord to the commerce of the United States pending the negotiation of a comprehensive treaty of friendship, commerce and consular rights to which the Governments of both countries have given careful attention and in favor of which both Governments have informally expressed themselves.

These conversations have disclosed a mutual understanding between the two Governments which is that, in respect to import, export and other duties and charges affecting commerce, as well as in respect to transit, warehousing and other facilities and the treatment of commercial travelers' samples, the United States will accord to Poland and Poland will accord to the United States, its territories and possessions, unconditional most-favored-nation treatment; and that in the matter of licensing or prohibitions of imports or exports, the United States and Poland, respectively, so far as they at any time maintain such a system, will accord to the commerce of the other treatment as favorable, with respect to commodities, valuations and quantities, as may be accorded to the commerce of any other country.

¹ TS 862, *post*, p. 237.

It is understood that—

No higher or other duties shall be imposed on the importation into or disposition in the United States, its territories or possessions, of any articles the produce or manufacture of Poland than are or shall be payable on like articles the produce or manufacture of any foreign country;

No higher or other duties shall be imposed on the importation into or disposition in Poland of any articles the produce or manufacture of the United States, its territories or possessions, than are or shall be payable on like articles the produce or manufacture of any foreign country;

Similarly, no higher or other duties shall be imposed in the United States, its territories or possessions, or in Poland on the exportation of any articles to the other or to any territory or possession of the other, than are payable on the exportation of like articles to any foreign country;

Every concession with respect to any duty, charge or regulation affecting commerce now accorded or that may hereafter be accorded by the United States or by Poland, by law, proclamation, decree or commercial treaty or agreement, to any foreign country will become immediately applicable without request and without compensation to the commerce of Poland and of the United States and its territories and possessions, respectively:

Provided that this understanding does not relate to

(1) The treatment which the United States accords or may hereafter accord to the commerce of Cuba or any of the territories or possessions of the United States or the Panama Canal Zone, or to the treatment which is or may hereafter be accorded to the commerce of the United States with any of its territories or possessions or to the commerce of its territories or possessions with one another.

(2) The treatment which Poland may accord, in order to facilitate strictly border traffic, to the products of a zone not exceeding fifteen kilometers in width beyond its frontiers or to the products of the German portions of Upper Silesia under the régime at present existing.

(3) Prohibitions or restrictions of a sanitary character or designed to protect human, animal or plant life or regulations for the enforcement of police or revenue laws.

The Polish Government, which is entrusted with the conduct of the foreign affairs of the Free City of Danzig under Article 104 of the Treaty of Versailles ² and Articles 2 and 6 of the Treaty signed in Paris on November 9, 1920, between Poland and the Free City, declares that the Free City becomes a contracting party to this agreement and assumes the obligations and acquires the rights laid down therein. The above declaration does not relate

² *Ante*, vol. 2, p. 100.

to those stipulations of this agreement which are accepted by the Republic of Poland with regard to the Free City of Danzig on the basis of rights acquired by treaties.

The present arrangement shall become operative on the day of signature and, unless sooner terminated by mutual agreement, shall continue in force until thirty days after notice of its termination shall have been given by either party; but should either party be prevented by future action of its legislature from carrying out the terms of this arrangement, the obligations thereof shall thereupon lapse.

It is understood that this agreement is subject to ratification by the Polish Diet.

I shall be glad to have your confirmation of the accord thus reached.

Accept, Sir, the renewed assurances of my highest consideration.

CHARLES E. HUGHES

Dr. LADISLAS WRÓBLEWSKI,
Minister of Poland.

The Polish Minister to the Secretary of State

LEGATION OF POLAND
Washington, February 10, 1925

SIR:

I have the honor to make the following statement of my understanding of the agreement reached through recent conversations held at Washington on behalf of the Government of the Republic of Poland and the Government of the United States with reference to the treatment which Poland shall accord to the commerce of the United States and which the United States shall accord to the commerce of Poland pending the negotiation of a comprehensive treaty of friendship, commerce and consular rights to which the Governments of both countries have given careful attention and in favor of which both Governments have informally expressed themselves.

These conversations have disclosed a mutual understanding between the two Governments which is that, in respect to import, export and other duties and charges affecting commerce, as well as in respect to transit, warehousing and other facilities and the treatment of commercial travelers' samples, Poland will accord to the United States, its territories and possessions, and the United States will accord to Poland, unconditional most-favored-nation treatment; and that in the matter of licensing or prohibitions of imports or exports, Poland and the United States respectively, so far as they at any time maintain such a system, will accord to the commerce of the other treatment as favorable, with respect to commodities, valuations and quantities, as may be accorded to the commerce of any other country.

It is understood that—

[For terms of understanding, see U.S. note, above.]

The Polish Government, which is entrusted with the conduct of the foreign affairs of the Free City of Danzig under Article 104 of the Treaty of Versailles and Articles 2 and 6 of the Treaty signed in Paris on November 9, 1920, between Poland and the Free City, declares that the Free City becomes a contracting party to this agreement and assumes the obligations and acquires the rights laid down therein. The above declaration does not relate to those stipulations of this agreement which are accepted by the Republic of Poland with regard to the Free City of Danzig on the basis of rights acquired by treaties.

The present arrangement shall become operative on the day of signature and, unless sooner terminated by mutual agreement, shall continue in force until thirty days after notice of its termination shall have been given by either party; but should either party be prevented by future action of its legislature from carrying out the terms of this arrangement, the obligations thereof shall thereupon lapse.

It is understood that this agreement is subject to ratification by the Polish Diet.

I shall be glad to have your confirmation of the accord thus reached.

Accept, Sir, the renewed assurances of my highest consideration.

WL. WRÓBLEWSKI

The Honorable
CHARLES E. HUGHES
Secretary of State